

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

United States of America

v.

Case No. 05-cr-132-01-SM

Charles F. Berner

O R D E R


Defendant Berner's motion to continue the final pretrial conference and trial is granted (document 20). Trial has been rescheduled for the February 2006 trial period. Defendant Berner shall file a waiver of speedy trial rights not later than December 12, 2005. On the filing of such waiver, his continuance shall be effective.

The Court finds that the ends of justice served by granting a continuance outweigh the best interest of the public and the defendant in a speedy trial, 18 U.S.C. § 3161(h)(8)(B)(iv), in that failure to grant a continuance would unreasonably deny defendant the reasonable time necessary for effective preparation taking into account the exercise of due diligence under the circumstances.

Final Pretrial Conference: January 27, 2006 at 2:00 p.m.

Jury Selection: February 7, 2006 at 9:30 a.m.

SO ORDERED.



Steven J. McAuliffe
Chief Judge

December 5, 2005

cc: Tony Soltani, Esq.
Don Feith, AUSA
US Probation
US Marshal